

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
November 19, 2015

Closed Session: yes

Call to Order: Meeting was called to order at: 10: a.m.

Council Present: Secretary Otto, Councilor Bernard, Councilor Harrington,
Councilor Law, Councilor McNamara, Councilor Shananaquet

Absent: Councilor Naganashe, Treasurer Reyes

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick,
Legislative Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chair Regina Gasco Bentley, Chief
Financial Officer Carrie Carlson, Tribal Administrator Albert Colby, Jr.

Judicial Officials and Staff: none

Invited Guests: Odawa Economic Development Management, Inc.: Alan Proctor-
President, Bryan Gillett-Vice-President, Tanya Gibbs-Member, Steven Hayward
Land Use Economic Development Consultant. Odawa Casino Resort: General
Manager Eric McLester

Motion made by Councilor Law and supported by Councilor Shananaquet to
adopt the agenda for November 19, 2015 as presented.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
Reyes)

Motion carried.

Motion made by Councilor Law and supported by Councilor Harrington to
approve the minutes of November 5, 2015 as presented.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
Reyes)

Motion carried.

Odawa Economic Development Management, Inc., discussion.

Motion made by Councilor Law and supported by Councilor Harrington to
approve the Operating Agreement for The Shops at Victories Center, LLC,
between Odawa Economic Development Management, Inc. and Geodetic North

1 Investors, LLC, dated November 9, 2015 and authorize the Odawa Economic
2 Development Management, Inc. Chair and the Tribal Treasurer to sign the
3 agreement.

4 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
5 Reyes)

6 Motion carried.

7
8 Motion made by Councilor Harrington and supported by Councilor Law to
9 approve the Ground Sublease between Odawa Economic Development
10 Management, Inc., and The Shops at Victories Center, LLC, dated November 9,
11 2015 and authorize the Odawa Economic Development Management, Inc. Chair
12 and the Tribal Treasurer to sign the agreement.

13 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
14 Reyes)

15 Motion carried.

16
17 Motion made by Councilor Law and supported by Councilor Harrington to
18 approve the Development Agreement between Odawa Economic Development
19 Management, Inc., The Shops at Victories Center, LLC, and Geodetic North
20 Investors, LLC, dated November 9, 2015 and authorize the Odawa Economic
21 Development Management, Inc. Chair to sign the agreement.

22 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
23 Reyes)

24 Motion carried.

25
26 **11:53 a.m. Public Comment opened:**

- 27
28 - Andrew Stich spoke regarding Treasurer Reyes communication
29 with regard to his public comments; and his attendance at Tribal
30 Court today with regard to Child Welfare

31
32 **11:58 a.m. Public Comment closed.**

33
34 **12:03 a.m. Lunch**

35 **1:36 p.m. Resume**

36
37 **1:33 p.m.** Motion made by Councilor Law and supported by Councilor
38 McNamara to go into closed session for confidential business matters.

39 Vote: 5 - Yes, 1 – No (Councilor Shananaquet), 0 - Abstained, 2 – Absent
40 (Councilor Naganashe, Treasurer Reyes)

41 Motion carried.

42
43 **1:57 p.m.** Motion made by Councilor Law and supported by Councilor Harrington
44 to return to open session.

45 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
46 Reyes)

1 Motion carried.

2
3 Motion made by Councilor Shananaquet and supported by Councilor Law to
4 acknowledge receipt of Secretary Otto verbal report for November 19, 2015.
5 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
6 Reyes)

7 Motion carried.

8
9 Motion made by Councilor Shananaquet and supported by Secretary Otto to
10 acknowledge receipt of Tribal Council member Law's verbal and written report
11 travel report by for November 19, 2015.

12 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
13 Reyes)

14 Motion carried.

15
16 **Land and Reservation Committee: no meetings, no report.**

17
18 **Ethics Committee: no meeting. No report.**

19
20 Motion made by Councilor Law and supported by Councilor Shananaquet to
21 approve Standard Form of Agreement between Owner and Contractor between
22 Odawa Casino Resort and DeBeer Construction and authorize the Odawa
23 Casino Resort general manager to sign the contract.

24 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
25 Reyes)

26 Motion carried.

27
28 Motion made by Councilor Law and supported by Councilor Shananaquet to
29 acknowledge receipt of Sr. Financial Analyst Stella Kay's verbal and written
30 report for November 19, 2015.

31 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
32 Reyes)

33 Motion carried.

34
35 **3:11 p.m. Public Comment opened: no comments.**

36 **3:11 p.m. Public Comment closed.**

37
38 **3:11 p.m. Break**

39 **3:26 p.m. Resume**

40
41 Motion made by Councilor Shananaquet and supported by Councilor McNamara
42 to acknowledge receipt of Legislative Services Attorney Budnick's verbal report
43 for November 19, 2015.

44 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
45 Reyes)

46 Motion carried.

1
2 Motion made by Councilor Harrington and supported by Councilor Law to
3 acknowledge receipt of General Counsel Bransky's Enjiinakneng verbal report for
4 November 19, 2015.

5 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
6 Reyes)

7 Motion carried.
8

9 Motion made by Councilor Shananaquet and supported by Councilor Law to
10 approve the release and settlement agreement between Odawa Casino Resort
11 and Blue Cross Blue Shield of Michigan, and authorize the Odawa Casino Resort
12 general manager to sign the Agreement.

13 Vote: 5 - Yes, 0 - No, 1 – Abstained (Councilor Harrington), 2 – Absent
14 (Councilor Naganashe, Treasurer Reyes)

15 Motion carried.
16

17 Motion made by Councilor Shananaquet and supported by Councilor Law to
18 acknowledge receipt of Legislative Office Manager Portman-LaCount's verbal
19 and written report for November 19, 2015.

20 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
21 Reyes)

22 Motion carried.
23

24 Motion made by Councilor Shananaquet and supported by Councilor Law to
25 approve Certified Motion #111915-01: Request for Funding from the U.S.
26 Department of Labor, Employment and Training Administration, Workforce
27 Investment Act Section 166 24-month Project Period Extension.

28 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
29 Reyes)

30 Motion carried.
31

32 Motion made by Councilor McNamara and supported by Councilor Shananaquet
33 to approve Certified Motion #111915-02; Request for Funding from the United
34 States Department of the Interior, Bureau of Indian Affairs, Fish Hatchery
35 Maintenance Project FY 2016.

36 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
37 Reyes)

38 Motion carried.
39

40 Motion made by Councilor Law and supported by Councilor Harrington to
41 approve Certified Motion #111915-03; Support of the Emmet County Road
42 Commission's application for funding to the Bureau of Indian Affairs Division of
43 Transportation Tribal Transportation Facility Bridge Program.

44 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
45 Reyes)

46 Motion carried.

1
2 Motion made by Councilor McNamara and supported by Councilor Shananaquet
3 to approve Certified Motion #111915-04; Request for Funding from the Bureau of
4 Indian Affairs, FY 2016 Tribal Youth Initiative, Youth Conservation Corps.

5 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
6 Reyes)

7 Motion carried.
8

9 Motion made by Secretary Otto and supported by Councilor Shananaquet to
10 approve Certified Motion #111915-05; Funding from the U.S. Department of
11 Health and Human Services Indian Health Service-Sanitation Program Well &
12 Septic Systems Contract BE-15-J53 Modification.

13 Vote: 5 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Naganashe, Treasurer
14 Reyes, Councilor Harrington)

15 Motion carried.
16

17 Motion made by Councilor Law and supported by Councilor McNamara to
18 appoint Albert Colby Jr., to the Liquor Control Board to fulfill a 2 year term to
19 expire September 30, 2017.

20 Vote: 2 - Yes, 3 – No (Councilor McNamara, Councilor Bernard, Councilor
21 Shananaquet, Councilor Harrington), 0 - Abstained, 2 – Absent (Councilor
22 Naganashe, Treasurer Reyes)

23 Motion failed.
24

25 Motion made by Councilor McNamara and supported by Councilor Law to
26 appoint Julie Janiske to the Liquor Control Board to fulfill a 1-year term to expire
27 September 30, 2016.

28 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
29 Reyes)

30 Motion carried.
31

32 Motion made by Councilor Harrington and supported by Councilor Law to re-
33 appoint Billy McNamara to the Natural Resource Commission to serve a
34 remaining 4-year term to expire September 30, 2019.

35 Vote: 5 - Yes, 0 - No, 1 – Abstained (Councilor McNamara), 2 – Absent
36 (Councilor Naganashe, Treasurer Reyes)

37 Motion carried.
38

39 Motion made by Councilor Law and supported by Councilor Shananaquet to
40 appoint Melissa Laughlin to the Election Board to fulfill a 4-year term to expire
41 September 30, 2019.

42 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
43 Reyes)

44 Motion carried.
45

1 Motion made by Councilor Shananaquet and supported by Councilor Harrington
2 to appoint Merle Carson to the Election Board to fulfill a 4-year term to expire in
3 September 30, 2019.

4 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
5 Reyes)

6 Motion carried.

8 Motion made by Councilor Shananaquet and supported by Councilor McNamara
9 to appoint Marvin Mulholland to serve a three (3) year term expiring September
10 30, 2018 on the Gaming Enterprise Board upon obtaining a Primary Gaming
11 License from the Gaming Regulatory Commission.

12 Vote: 3 - Yes, 2 – No (Councilor Law and Secretary Otto), 1 – Abstained
13 (Councilor Harrington), 2 – Absent (Councilor Naganashe, Treasurer Reyes)

14 Motion carried.

16 Motion made by Councilor Shananaquet and supported by Councilor Law to
17 acknowledge the Letter of Interest from Joseph Van Alstine for the Ziibimijwang,
18 Inc. Farm Board and to set up an interview.

19 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
20 Reyes)

21 Motion carried.

23 Motion to pass the Legislative Branch Operations Governmental Employee
24 Personnel Policies Handbook Revision 101615-01.

25 Discussion: Request to remove from the agenda.

26 Motion dies due to lack of support. Item removed from the agenda.

28 Motion made by Councilor Law and supported by Councilor Shananaquet to
29 acknowledge the receipt of the Letter of Resignation from Alice Yellowbank,
30 Traditional Tribal Burial Board and miigwech for her years of service.

31 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
32 Reyes)

33 Motion carried.

35 Motion made by Councilor Law and supported by Councilor Shananaquet to
36 adopt Tribal Resolution; Supplemental Funding for Traditional Burial Grounds
37 Board in the amount of \$30,000.00 for Fiscal Year 2016 to come from General
38 Fund Balance—Supplemental Funding.

39 Roll call vote: Councilor Frank Bernard-yes, Councilor David Harrington-yes,
40 Councilor Beatrice A. Law-yes, Councilor Dexter McNamara-yes, Councilor
41 Naganashe-absent, Councilor Shananaquet-yes, Treasurer Reyes-absent,
42 Secretary Otto-yes

43 Motion carried.

1 Motion made by Councilor McNamara and supported by Secretary Otto to adopt
2 Tribal Resolution; Approval of Budget Modifications for Budget Deficiency of the
3 Burial Fund.

4 Roll call vote: Councilor Frank Bernard-yes, Councilor David Harrington-yes,
5 Councilor Beatrice A. Law-yes, Councilor Dexter McNamara-yes, Councilor
6 Naganashe-absent, Councilor Shananaquet-yes, Treasurer Reyes-absent,
7 Secretary Otto-yes

8 Motion carried.

9
10 Motion made by Councilor Harrington and supported by Councilor Law to adopt
11 Tribal Resolution; Supplemental Funding in the Amount of \$35,350 for the
12 Election Board.

13 Roll call vote: Councilor Frank Bernard-yes, Councilor David Harrington-yes,
14 Councilor Beatrice A. Law-yes, Councilor Dexter McNamara-yes, Councilor
15 Naganashe-absent, Councilor Shananaquet-yes, Treasurer Reyes-absent,
16 Secretary Otto-yes

17 Motion carried.

18
19 Motion made by Councilor McNamara and supported by Councilor Harrington to
20 pass Waganakising Odawak Statute Eshkiniigijik Tribal Youth Services
21 Department.

22 Roll call vote: Councilor Frank Bernard-yes, Councilor David Harrington-yes,
23 Councilor Beatrice A. Law-yes, Councilor Dexter McNamara-yes, Councilor
24 Naganashe-absent, Councilor Shananaquet-yes, Treasurer Reyes-absent,
25 Secretary Otto-yes

26 Motion carried.

27
28 5:30 p.m. Motion made by Councilor Law and supported by Councilor McNamara
29 to adjourn.

30 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Naganashe, Treasurer
31 Reyes)

32 Motion carried.

33
34
35
36 Please contact the Legislative Office at 231-242-1403, 231-242-1404 or 231-242-
37 1406 for additional updates and clarifications of these minutes as presented.

38
39 These Minutes have been read and approved as written (or) corrected: (delete
40 either the word “written” or “corrected” as pertains to how the minutes were
41 approved.)

42
43
44
45 Secretary Aaron Otto, Tribal Council Secretary

Date